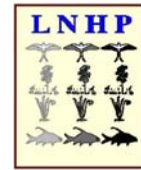


# STEWARDSHIP FUNDING POLICY

Louisiana Department of Wildlife and Fisheries  
Natural Areas Registry



The donation of a **conservation servitude** is a major, long-term commitment for both the landowner and the Louisiana Department of Wildlife & Fisheries (LDWF). The landowner needs to be assured that LDWF is committed to and capable of ensuring that a cherished property will be forever protected. Conservation servitudes are an established legal tool to protect land for natural heritage values for generations to come.

When LDWF accepts a conservation servitude, the agency agrees to become partners with the landowner in order to protect and maintain the unique natural heritage values of the site. This agreement requires restriction of certain uses on the property in perpetuity. Current and all future landowners assume the legal responsibility to use the property in a manner consistent with the conservation servitude. To fulfill its responsibilities as holder of the servitude, LDWF inspects servitude properties at least once each year to be sure the natural heritage values are intact and no violations of the conservation restrictions have occurred. In addition, some conservation servitudes will have reserved rights that LDWF must review, approve, and monitor as they occur such as timber harvesting, road maintenance or other land management efforts. Unfortunately, violations do occur, and their likelihood increases as time passes and properties change hands. If a violation is discovered, LDWF must be prepared to take follow up action with the landowner to seek voluntary correction of the problem, and to defend the terms of the servitude if necessary.

## Purpose of Stewardship Funding

LDWF maintains the Wildlife Habitat & Natural Heritage Trust Fund to cover the costs associated with stewardship of the servitudes it holds. This fund provides the agency with the financial resources necessary to ensure that:

- Each servitude property is physically monitored at least annually.
- Conditions of the land are documented in a written report with current maps, aerial and ground photos.
- Technical experts, such as wildlife biologists or foresters within LDWF, can be utilized when necessary to confer on servitude management matters.
- The monitoring report is explained to the landowner with recommendations on any compliance matters.
- Regular contact is maintained with landowner and subsequent owners are fully informed of the servitude terms.
- LDWF can take legal enforcement steps if necessary to be sure that use of the property is consistent with the servitude.

LDWF will work cooperatively with landowners to provide advice on servitude compliance matters and to correct minor violations. In the unfortunate scenario where a serious servitude violation occurs or protected natural heritage conservation values are significantly threatened or harmed, the Trust Fund enables the agency to take necessary legal actions, which may include mediation, arbitration or action in court to seek correction of the violation or restoration of the

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*Your tax-deductible contribution to the Louisiana Wildlife Habitat & Natural Heritage Trust Fund will help ensure the protection of your land forever.*

conservation resources. The Trust Fund is not used for general operating or other LDWF project expenses.

## **Trust Fund Donations**

When considering the acceptance of a conservation servitude, LDWF suggests that landowners or other project supporters make a tax deductible gift to the Wildlife Habitat & Natural Heritage Trust Fund at the time of their servitude donation or sale. If a donation is not possible at the time of the transaction, landowners are asked to consider pledging a future contribution which may be donated over several years or as a bequest. The agency recognizes that not all landowners are able to make such a contribution, and may consider accepting a servitude without a Trust Fund gift in extraordinary circumstances.

Landowners are asked to consider the following when considering a donation to the Wildlife Habitat & Natural Heritage Trust Fund:

1. The annual cost of stewardship is calculated using a standardized formula, and this figure is presented to the landowner with explanation of all factors (ie. – baseline documentation, management plan, surveying, monitoring, boundary signs and other supplies) considered in the calculation. Owners are asked to consider donating enough to cover all of the stewardship costs if possible.
2. When making a gift to the Trust Fund, donors are asked to consider the following complicating factors that may suggest a higher than minimum contribution:
  - large property size, or multiple parcels or ownership interests;
  - degree of future development permitted on or adjacent to the servitude;
  - extent of active agricultural, residential or recreational uses allowed on the property; and
  - high levels of public access on or near the property.

LDWF staff can help assess which, if any, of these factors may apply to your property.

3. There are many ways of making a gift to the Trust Fund. Some landowners choose to make a one-time cash gift at the time the servitude is signed, and others pledge gifts over a period of years. Income derived from sale of a portion of the property not included in the servitude, or sale of commodities from the property such as timber, may be used as a donation.

## **Management of the Trust**

Donations to the Wildlife Habitat & Natural Heritage Trust Fund are pooled in a restricted Stewardship Account for administration and investment purposes. The funds are used strictly toward monitoring and enforcement of the servitudes held by LDWF for the state of Louisiana. Responsible oversight of conservation servitudes is crucial to the success of any land protection program. When accepting a conservation servitude LDWF makes a serious commitment to protect the land and its resource values in perpetuity. Contributions to the Wildlife Habitat & Natural Heritage Trust Fund help us keep that commitment to you - the owner interested in voluntarily conserving your land.

***Thank you.***

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